

Rec'd PET/PTO 0.8 MAR 2005 #2

Petition for Revival dated March 8, 2005

10/527127^{932.1287}

UNITED STATES PATENT AND TRADEMARK OFFICE

Appl./ Serial No.: Not yet known
Application of: Pere DALMASES BARJOAN, et al.
Filed: Herewith
Examiner: Not yet known
Docket No.: 932.1287
For: PROCESS FOR PREPARING ZOLMITRIPTAN COMPOUNDS

RECEIVED

14 SEP 2005

Legal Staff
International Division

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 8, 2005

Sir:

The Applicant hereby petitions the Commissioner for Patents for the revival of the above-identified patent application which was abandoned unintentionally under 37 CFR 1.137(b).

I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on March 8, 2005.

STEINBERG & RASKIN, P.C.

BY: Annette M. Pherson

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The patent application became abandoned because the requirements of 35 U.S.C. 371(c) were not complied with by the thirty-month time period set 37 CFR 1.495(b). The noncompliance was unintentional. Under 37 CFR 1.137, the Applicants may file a petition to revive an abandoned application in accordance with the provisions of 37 CFR 1.137.

Note: A grantable petition under 37 CFR 1.137(b) requires the following:

- (1) Statement that the entire delay was unintentional;
- (2) Documents required under 35 U.S.C. 371 for entering national stage;
- (3) Terminal Disclaimer with a disclaimer fee pursuant to 37 CFR 1.137(d) - required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Petition fee as set forth in 37 CFR 1.17(m).

1. Statement

The entire delay in failing to furnish to the U.S. Patent & Trademark Office ("PTO") the documents required for entering the national stage and obtain an examination as to the patentability of the invention in the U.S. was unintentional. Therefore, this petition pursuant to 37 CFR 1.137(b) is grantable.

The Applicant notes that this petition filed pursuant to 37 CFR 1.137(b) is being filed within one (1) year of the date of abandonment of the application. In addition, the petition is being filed within three (3) months of the date of when the applicant was first notified that the application was abandoned.

2. Documents Required under 35 U.S.C. 371

Under the requirements of 35 U.S.C. 371, a copy of the international application and the basic national fee is enclosed herewith. The Applicants submit that the enclosed documents are sufficient to avoid abandonment, had such documents been timely filed.

3. Terminal Disclaimer with disclaimer fee

Since this utility patent application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. Petition Fee

A Fee of **\$1500.00** for the Petition to revive an unintentionally abandoned application is enclosed herewith.

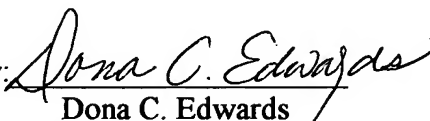
Remarks

This petition pursuant to 37 CFR 1.137(b) is accompanied by the requisite National stage filing documents and fee, both attached herewith.

In the event that any other extensions and/or fees are required for the entry of this petition, the U.S. Patent and Trademark Office is specifically authorized to charge any additional fees to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
STEINBERG & RASKIN, P.C.

By: 
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